

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38206 of 2019

Arising Out of PS. Case No.-122 Year-2019 Thana- SHRIKRISHNAPURI District- Patna

Gautam Raj Son of Sri Arbind Kumar Resident of Village - Mohanpur, P.S.-
Mufassil, Samastipur, Distt - Samastipur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Kanhaiya Kishore(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 20, 22 of the NDPS Act.

Allegedly, 90 gms Ganja and 2.52 litres wine was
recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 09-04-2019. The petitioner has
been made accused in the present case due to mistake of fact.
Total 97 gram Ganja is said to have been recovered. Same is
below the commercial quantity. Hence Section 37 of the NDPS
Act is not applicable in the present case. There is no compliance



of Section 42 & 50 of the NDPS Act. 2.52 litres wine is said to have been recovered. There is no compliance of Section 100 of Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Srikrishnapuri P.S. Case No. 122 of 2019, Special Case No. 3722 of 2019.

(Sudhir Singh, J)

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